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8 UNITED STATES DISTRICT COURT
9 SOUTHERN DISTRICT OF CALIFORNIA

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11 C.S., by and through his Conservator,) CASE NO.: 08 CV 0226 W (AJB)
12 MARY STRUBLE, on behalf of himself) JOINT MOTION UPON
13 and all others similarly situated,) STIPULATION FOR DISMISSAL
14) WITH PREJUDICE OF COMPLAINT
15) FOR PERMANENT INJUNCTION
16) AND PROPOSED ORDER THEREON
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Plaintiff,
v.
CALIFORNIA DEPARTMENT OF
EDUCATION, a State Agency, et al.,
Defendants.

19 The parties hereto, by and through their respective attorneys, have agreed to
20 and jointly move for an Order of Dismissal With Prejudice of Plaintiff's Class
21 Action Complaint For Permanent Injunction and Temporary Restraining Order
22 filed on February 5, 2008 pursuant to FRCP Rule 65 ("the Class Action").

23 This motion is made upon stipulation of the parties due to the execution of a
24 new Interagency Agreement between CDE and OAH effective July 1, 2008, the
25 relief sought in Plaintiff's prayer of "enjoining CDE from renewing or awarding
26 the Interagency Agreement effective July 1, 2008 to OAH" the Class Action is
27 moot.
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1 Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), all parties who
2 have appeared stipulate that the Class Action is moot and should be dismissed with
3 prejudice.

4 IT SO STIPULATED.

5 DATED: 7/8/08

EDMUND G. BROWN, JR.
ATTORNEY GENERAL OF THE
STATE OF CALIFORNIA

8 By: [Signature]
9 SUSAN K. LEACH, Attorneys for
10 Defendant, Ronald Diedrich, in his
11 official capacity as Director and Chief
12 Administrative Officer of the State of
13 California Office of Administrative
Hearings (OAH)

14 DATED: 7/8/08

MARSHA A. BEDWELL, GENERAL
COUNSEL CALIFORNIA
DEPARTMENT OF EDUCATION

17 By: [Signature]
18 GABRIEL C. VIVAS, Attorneys for
19 Defendant, CDE

20 DATED: 7/8/08

21 [Signature]
22 ELLEN DOWD, Attorney for Plaintiff,
23 C.S.
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